

IC 34-36-4

Chapter 4. Filling Regular Panel of Jurors When Persons Excused From Service

IC 34-36-4-1

Duties of judge and clerk; procedure

Sec. 1. (a) Where:

- (1) persons drawn for jury service; or
- (2) jurors;

in any circuit, superior, or probate court in Indiana have been excused from service, the judge shall immediately notify the clerk of the circuit court of that fact and of the number of jurors excused from service.

(b) The clerk shall immediately proceed to:

- (1) draw from the jury box for each of the courts the number of names required by each court to fill up the regular panel; and
- (2) record and certify the drawing upon the proper order book of each court.

The individuals whose names are drawn and certified under this section become members of the regular panel of the court.

(c) The names shall be drawn and the persons summoned in accordance with the provisions for the drawing and summoning of jurors. The persons whose names are drawn shall be immediately summoned to appear at once in court.

(d) The failure of the judge of any court or any clerk or other officer to perform the duties described in this section is not grounds for the continuance of any case. In that event, the panel may be filled from talesmen as provided by law.

(e) This section does not apply where a member of a jury is removed for cause, or peremptorily, under the laws. In that case:

- (1) the panel shall be filled from talesmen as provided by law; and
- (2) the bailiff of the court or the sheriff shall go outside the courthouse and summon reliable and reputable citizens for jury service.

As added by P.L.1-1998, SEC.32.